

RECEIVED  
USPTO-PG PUBS

MAY 14 2004

Via Facsimile to: (703) 305.8568

PTO/SB/24 (04-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**EXPRESS ABANDONMENT UNDER  
37 CFR 1.138**

Send completed form to: Mail Stop Express Abandonment  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/044,071
Filing Date	January 10, 2002
First Named Inventor	Scott Aguais
Art Unit	2161
Examiner Name	not yet assigned
Attorney Docket Number	D3398-00033

Please check only one of boxes 1 or 2 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☒ **Express Abandonment**  
I request that the above-identified application be expressly abandoned as of the filing date of this paper.
2. ☐ **Express Abandonment in Favor of a Continuing Application**  
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

**TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.**

- I am the: ☐ applicant.  
☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  
☒ attorney or agent of record. Registration Number 37,163  
☐ attorney or agent acting under 37 CFR 1.34(a) (may act under 37 CFR 1.34(a) only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a).

(Attorney or agent registration number)

Steven E. Koffs

Signature

Steven E. Koffs

Typed or printed name

May 14, 2004

Date

215.979.1250

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PH11/200475.1

MAY 17 2004

PG PUB DIVISION  
INITIALS KK



DUANE MORRIS LLP  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396  
PHONE: 215.979.1000  
FAX: 215.979.1020

## FACSIMILE TRANSMITTAL SHEET

**TO:** Mail Stop Express Abandonment  
Application Number: 10/044,071 Filing Date: 01/10/2002  
First Names Inventor: Scott Aguais Art Unit: 2161  
Examiner: Not yet assigned

**FIRM/COMPANY:** Commissioner for Patents

**FACSIMILE NUMBER:** 703.305.8568

**CONFIRMATION  
TELEPHONE:**

**FROM:** Steven E. Koffs

**DIRECT DIAL:** 215.979.1250

**DATE:** May 14, 2004

**USER NUMBER:** 1442

**FILE NUMBER:** D3398-00033 (Attorney Docket Number)

**TOTAL # OF PAGES:** 2  
(INCLUDING COVERSHEET)

**MESSAGE:** Please see Express Abandonment Under 37 CFR 1.138 for the  
above identified matter dated May 14, 2004 attached.

**NOTE:** Original will not follow

### CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE  
REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN  
ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT  
SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 215.979.1021.